

## LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for October 11, 2006 PLANNING COMMISSION MEETING

**P.A.S.:** Use Permit #146B - West Gate Bank

**PROPOSAL:** To amend the use permit to adjust the sign requirements to allow an additional ground sign.

### **WAIVER REQUESTS:**

1. Allow an additional ground sign.
2. Allow ground sign in excess of the maximum area allowed.

**LAND AREA:** 6.42 acres, more or less

**CONCLUSION:** The single building on this site is large enough and has been designed to accommodate multiple tenants. The additional ground sign is offset by the fact that those tenants will be located in the same building with a single main entrance, and the signs allowed at the entrance to each to identify the tenant will not be used. The proposed sign at the east side the entrance drive is not obtrusive, and will better notify the public of the businesses located on this site. This request is consistent with the intent of the sign requirements for the O-3 district and the Zoning Ordinance.

### **RECOMMENDATION:**

- |   |                      |
|---|----------------------|
| 1. Allow an additional ground sign.                           | Conditional Approval |
| 2. Allow a ground sign in excess of the maximum area allowed. | Conditional Approval |

### **GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Lot 1, West Gate Bank Addition, Lincoln, Lancaster County, Nebraska.

**LOCATION:** Northeast of the intersection of Old Cheney Road and Highway 2.

**EXISTING ZONING:** 0-3 Office Park District

**EXISTING LAND USE:** Bank, Office

## **SURROUNDING LAND USE AND ZONING:**

North:	B-5, O-3	Office, Commercial
South:	H-4, AGR	Office, Commercial, Vacant
East:	R-1, AGR	Single-family Residential
West:	H-4	Commercial

## **COMPREHENSIVE PLAN SPECIFICATIONS:**

- Page F18 - Guiding Principles for the Urban Environment - Overall Form
  - Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in older neighborhoods and encouraging a greater amount of commercial space per acre and more dwelling units per acre in new neighborhoods.
  - Preservation and renewal of historic buildings, districts and landscapes is encouraged. Development and redevelopment should respect historical patterns, precedents, and boundaries in towns, cities, and existing neighborhoods.
- Page F24 - Future Land Use Map
  - This land is designated as Commercial in the Land Use Plan.
- Page F37 - Commercial and Industrial Development Strategy
  - The commercial and industrial development strategy presented below seeks to fulfill two notable objectives: (1) the approach is designed to provide flexibility to the marketplace in siting future commercial and industrial locations; while at the same time (2) offering neighborhoods, present and future home owners, other businesses, and infrastructure providers a level of predictability as to where such employment concentrations might be located. Balancing these two objectives in a meaningful way will require diligence, mutual understanding, and an ongoing planning dialogue.
- Page F38 - General Principles for all Commercial and Industrial Uses
  - Commercial and industrial districts in Lancaster County shall be located: within the City of Lincoln or incorporated villages; outside of saline wetlands, signature habitat areas, native prairie and floodplain areas (except areas of existing commercial and industrial zoning); where urban services and infrastructure are available or planned for in the near term; in sites supported by adequate road capacity
  - commercial development should be linked to the implementation of the transportation plan; in areas compatible with existing or planned residential uses; in areas accessible by various modes of transportation (i.e. automobile, transit, and pedestrian; so that they enhance entryways or public corridors when developing adjacent to these corridors; in a manner that supports the creation and maintenance of green space as indicated in the environmental resources section of this plan.

**HISTORY:** UP#146A - Approved on November 24, 2003 allowing adjustments to the sign requirements to allow the entrance ground sign to exceed the maximum area allowed by 37 square feet; to allow an additional ground sign (in the retaining wall) that also exceeds the

maximum area allowed by 138 square feet; and to allow the wall sign in the retaining wall to exceed the maximum allowed height by approximately 1' 8".

UP#146 - Approved on **November 22, 2002**, allowing 60,000 square feet of financial and office floor area with a waiver to building height.

FP#02053 - A final plat approved on **November 22, 2002**, creating Lot 1, West Gate Bank Addition.

SAV#01024 - Approved on **November 22, 2002**, vacating the western portion of Wagon Lane to accommodate FP#02053.

### **ANALYSIS:**

1. The following signs are allowed in the O-3 district:
  - A. On-premise wall and projecting signs not exceeding 10% of wall coverage or 250 square feet in area per building facade, whichever is less, except a single tenant is limited to 10% or 150 square feet;
  - B. One ground sign per vehicular entrance not exceeding 32 square feet in area and 8' in height;
  - C. One internal direction sign per entrance not exceeding 50 square feet in area and 8' in height.
  - D. In addition to B and C above, one ground sign not exceeding 15 square feet in area and 5' in height shall be permitted at each building entrance.
2. This request seeks an adjustment to allow a second, 69 square foot ground sign at the driveway entrance at Old Cheney Road. It is in addition to an identical existing ground sign west side of the driveway.
3. Two waivers are being requested:
  - A. To allow an additional ground sign.
  - B. To allow an entrance sign to exceed the maximum area allowed by 37 square feet.
4. The additional sign area permitted by the O-3 sign regulations but not used with this use permit includes 15 square foot ground signs at the building entrances, and up to 435 square feet of additional wall signs on the building. UP#146A restricts the total sign area on the building to 565 square feet, and prohibits wall signs on the east side of the building.
5. Building entrance signs are intended to identify each individual tenant in buildings with multiple tenants and multiple entrances. Only one of those signs could be used here

because there is just one building and a single main entrance. Absent entrance signs, there are no other signs identifying individual businesses except the additional ground sign at the driveway entrance.

6. Driveway entrance ground signs are warranted to help customers and others find businesses, and as such provide a service to the public. An additional ground sign east of the driveway will both provide additional space for tenants' signs, and allow more advance notice of the driveway entrance to those traveling west on Old Cheney Road.
7. The proposed location for the additional ground sign is approximately 180' away from the east property line and AGR zoning, and approximately 230' away from the R-1 zoning north of Old Cheney Road. The sign is less than 8' in height it should not be obtrusive.

#### **CONDITIONS:**

##### Site Specific:

1. This amendment approves adjustments to the sign requirements for the O-3 district to allow an additional ground sign that exceeds both the maximum number and sign area allowed for a ground sign on the O-3 district.

##### General:

3. Before receiving building permits:
  - 3.1 The permittee shall have submitted a revised and reproducible final plan including 5 copies showing the following revisions:
    - 3.1.1 Note #19 revised to state: ADJUSTMENTS TO SECTION 27.69.044 OF THE LINCOLN MUNICIPAL CODE INCLUDING SIGN HEIGHT, AREA AND NUMBER OF SIGNS WERE GRANTED TO ALLOW THE SIGNS SHOWN ON THIS SITE PLAN. SIGNS OTHERWISE SHALL COMPLY WITH THE REQUIREMENTS OF SIGN CODE, INCLUDING SIGHT DISTANCE, AT THE TIME OF SIGN PERMIT.
    - 3.1.2 Revise the title block of the ground sign detail elevation to state: GROUND SIGNS AT ENTRANCE.
    - 3.1.3 Delete the term "PROPOSED" from the labels identifying all signs.
  - 3.2 The construction plans shall comply with the approved plans.

Standard:

4. The following conditions are applicable to all requests:
  - 4.1 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
  - 4.2 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
  - 4.3 The applicant shall sign and return the letter of acceptance to the City Clerk within 60 days following the approval of the special permit, provided, however, said 60-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.
5. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by:

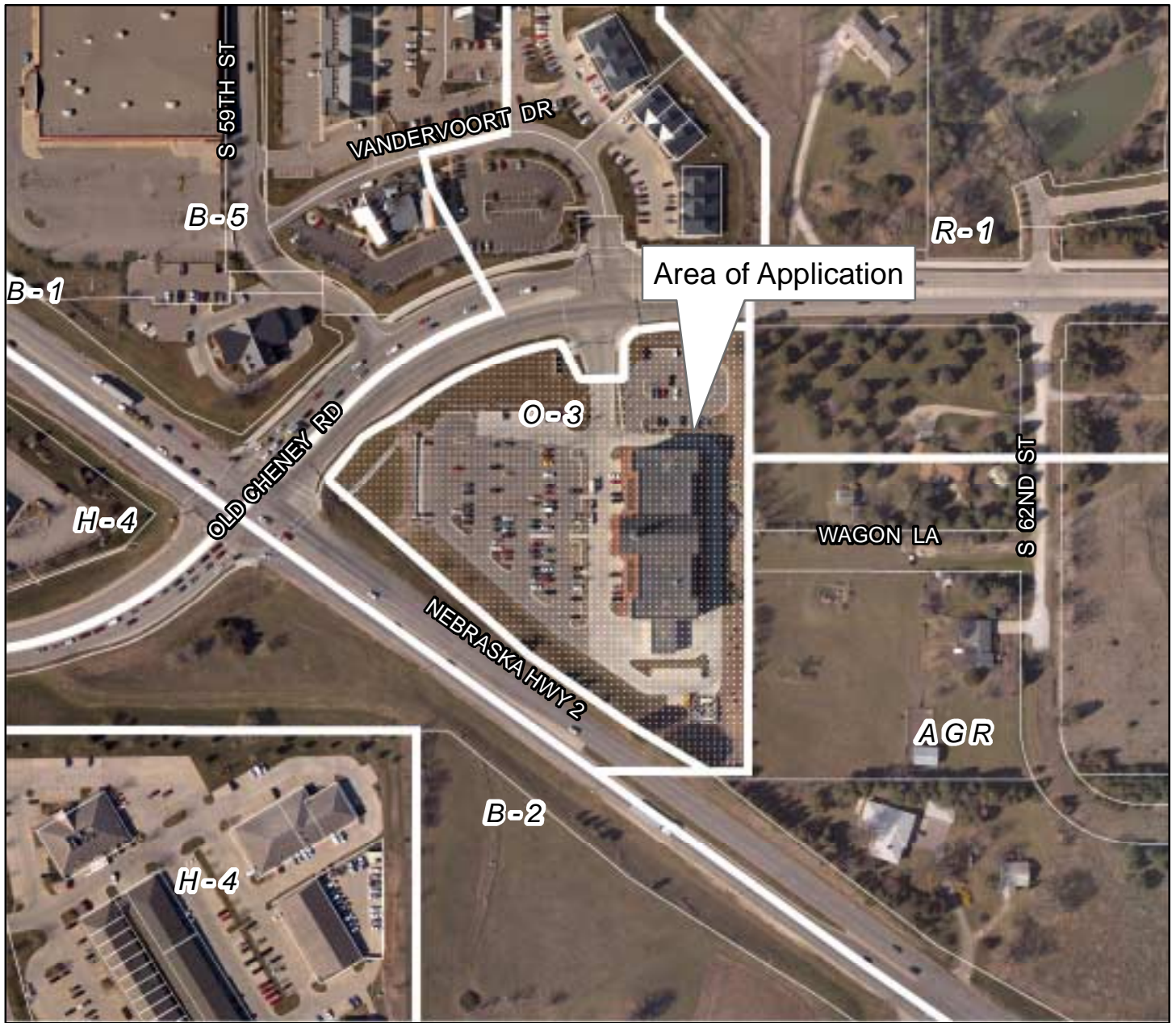
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Brian Will, AICP  
Planner  
September 27, 2006

**APPLICANT/**

**OWNER:** Carl Sjulín  
West Gate Bank  
6003 Old Cheney Road  
Lincoln, NE 68516  
(402) 434-3456

**CONTACT:** Doug Carey  
West Gate Bank  
6003 Old Cheney Road  
Lincoln, NE 68516  
(402) 434-3456



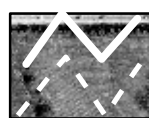
2005 aerial

# **Use Permit #146B** **6003 Old Cheney Rd** **West Gate Bank Center**

## **Zoning:**

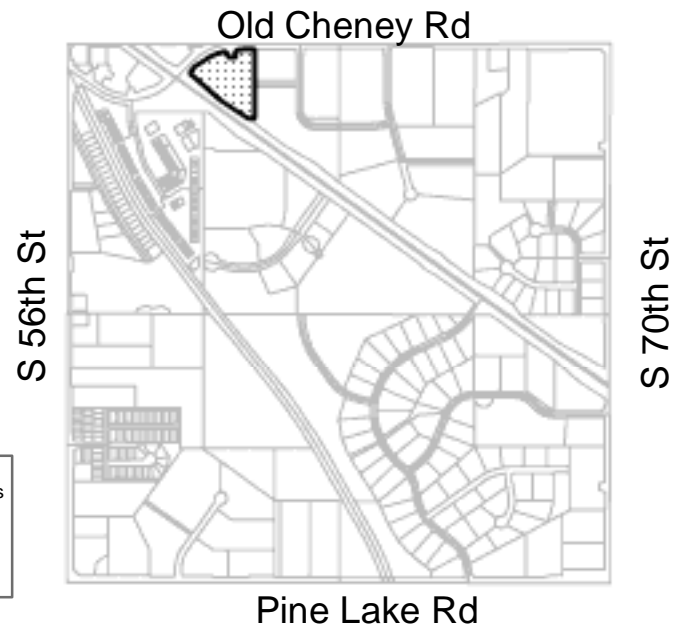
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile  
 Sec. 16 T9N R7E



Zoning Jurisdiction Lines

City Limit Jurisdiction







# WEST GA

AMENDMENT

NG

ACTUAL STALLS  
223

## DEVELOPMENT AREA

USE PERMIT 5.42 Ac.  
TOTAL BUILDING AREA 1.38 Ac.  
(THREE STORY) 22%

7.2% FLOOR AREA RATIO

## BOUNDARY CURVE DATA

(A)  $\Delta=23^{\circ}42'24''$   
R=522.96  
T=109.76  
L=216.38  
LC=214.84  
CB=N57°11'58"E

## GENERAL NOTES

1. SANITARY SEWER AND WATER LINES TO BE 8" PIPE UNLESS OTHERWISE SHOWN. STORM SEWER SHALL BE CONSTRUCTED USING APPROVED PIPE MATERIALS OF THE BUILDING AND SAFETY PLUMBING DEPARTMENT. PUBLIC AND PRIVATE UTILITIES TO BE BUILT TO CITY OF LINCOLN SPECIFICATIONS.

2. ALL PAVEMENT RETURN RADII TO BE 20' (MIN.) UNLESS OTHERWISE NOTED.

3. THE DEVELOPER AGREES TO COMPLY WITH THE DESIGN STANDARDS OF THE CITY OF LINCOLN FOR EROSION CONTROL AND SEDIMENTATION DURING AND AFTER LAND PREPARATION.

4. THE PROPOSED PLAT IS CURRENTLY ZONED AGR & R-1. PROPOSED ZONING FOR THE PLAT IS O-3.

5. SIDEWALKS WITHIN USE PERMIT TO BE BUILT AS SHOWN. NO SIDEWALK WILL BE CONSTRUCTED ALONG HIGHWAY #2. ALL SIDEWALK CROSSINGS SHALL BE LOCATED OUTSIDE THE CURB RADII.

6. ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES.

7. DIRECT VEHICULAR ACCESS TO OLD CHENEY ROAD AND HWY #2 SHALL BE RELINQUISHED EXCEPT AS SHOWN ON THE PLAT.

8. ALL SIDEWALKS TO BE BUILT 4' MIN. WIDTH.

9. ALL ELEVATIONS ARE TO NAVD 1988.

10. ATM, FENCES, DUMPSTERS, TRASH COMPACTORS, DECORATIVE STRUCTURES, AND ACCESSORY BUILDINGS ARE NOT SHOWN ON THE PLANS IF THEY ARE 25' BY 25' OF SMALLER AND ARE OUTSIDE OF THE SITE TRIANGLES, EASEMENTS, AND SETBACKS AND ARE BUILT IN CONFORMANCE WITH ALL APPLICABLE ORDINANCES AND CODES.

11. ALL PARKING LOT ISLANDS SHALL BE RAISED, CONCRETE CURB AND GUTTER MEDIANS.

12. THE ENTIRE PLAT IS LOCATED IN FEMA FLOOD ZONE C (PANEL NO. 315273 0045 C).

13. SIGNS FOR INTERNAL CIRCULATION/DIRECTION ARE SHOWN. EXACT LOCATION SHALL BE APPROVED THROUGH THE BUILDING PERMIT PROCESS.

14. TOTAL USAGE: TOTAL BLOCKS - 1  
TOTAL LOTS - 1 (PROPOSED O-3 ZONING)

15. EXISTING WELLS WILL BE ABANDONED OR A PERMIT WILL BE OBTAINED FROM THE HEALTH DEPARTMENT.

16. REQUIRED # OF PARKING STALLS: 200  
PROVIDED # OF PARKING STALLS: 223

17. THE 60,000 SF BUILDING INCLUDES 4500 SF OF DRIVE THRU BANK, THE REMAINING 55,500 SF IS FOR OFFICE USE.

△ 18. WAIVER REQUEST TO EXCEED THE 45' HEIGHT LIMIT OF THE O-3 DISTRICT WAS APPROVED - BUILDING HEIGHT OF 53'-5" AND CLOCKTOWER HEIGHT OF 95'.

△ 19. OWNER REQUESTS A WAIVER TO SECTION 27.69.044 OF THE LINCOLN MUNICIPAL CODE, TO ALLOW SIGNAGE SHOWN ON THIS SITE PLAN.

△ 20. THE MAXIMUM ALLOWABLE SIGN AREA ON THE MAIN BUILDING SHALL BE LIMITED TO 565 SQUARE FEET.

△ 21. SIGNS SHALL BE PROHIBITED ON THE EAST FACE OF THE MAIN BUILDING.

ORT. LOT 1  
OCK 1  
IER ACRES





6003 Old Cheney Road  
P.O. Box 82603 • Lincoln, Nebraska 68501-2603  
(402) 434-3456 • FAX (402) 323-8999  
[www.westgatebank.com](http://www.westgatebank.com)

Hwy 2 & Old Cheney Road  
1204 West "O" Street  
27th & Old Cheney  
17th & South  
70th & "A" Clocktower  
84th & Holdrege  
27th & Cornhusker

August 31, 2006

Mr. Marvin Krout  
City of Lincoln Planning Department  
555 S. 10<sup>th</sup> St.  
Lincoln, NE 68508

RE: West Gate Bank Zoning Application – Waiver to Use Permit # 146A

Dear Mr. Krout:

Attached please find West Gate Bank's request for a waiver to Use Permit # 146A to add a new double faced non-illuminated ground sign at the east side of the entry to West Gate Bank Center, 6003 Old Cheney Road in Lincoln, Nebraska.

West Gate Bank's request should be approved for the following reasons:

- This approval will benefit the public by providing identification and location confirmation for potential future tenants of the West Gate Bank Center. The sign location at the entry to the driveway will compliment the existing sign on the west side;
- While the immediate plan will be to denote West Gate Bank, this sign can be used for future business tenant identification as space within the building is subdivided;
- The sign will be set back far enough from the curb and the sidewalk that no issues with line of sight for vehicles entering Old Cheney Road or pedestrians on the sidewalk will come into play;
- West Gate Bank utilizes very little of the allowed on-building signage at this location;
- Signage at West Gate Bank Center is tastefully ground lit – no neon or garish signs were used;
- This sign will be non-illuminated in keeping with our current sign standards;
- This sign will add symmetry to the existing entry signage on the west side of the entrance

Included with this letter are the City of Lincoln Zoning Application and all supporting documentation. If you have any questions regarding this request please call me at 434-3456.

I appreciate your support in approving this waiver to our original signage use permit.

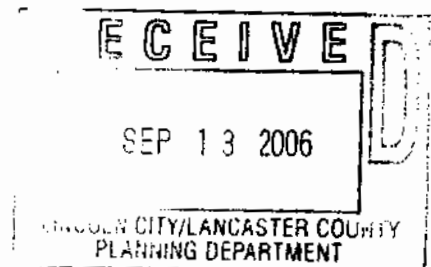
Sincerely,

Douglas C. Carey  
Executive Vice President

West Gate Bank

Direct: (402) 434-3456  
Fax: (402) 323-8909  
email: [dcarey@westgatebank.com](mailto:dcarey@westgatebank.com)

Attachments



West Gate Bank. Lincoln's Bank.

MEMBER  
FDIC